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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,668	06/20/2000	Gavin Peacock	PALM-3215	5356
7590	07/15/2004		EXAMINER	
Wagner Murabito & Hao LLP Two North Market Street Third Floor San Jose, CA 95113			NGUYEN, QUANG N	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	09/598,668	Applicant(s)	PEACOCK, GAVIN
Examiner	Quang N. Nguyen	Art Unit	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 10 May 2004.
2a) This action is **FINAL**. 2b) This action is non-final.
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1-21 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
10) The drawing(s) filed on 20 June 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

Detail Action

1. This Office Action is in response to the Amendment filed on 05/10/2004. Claims 1, 8 and 15 have been amended. Claims 1-21 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadyk et al. (6,674,767), herein after referred as Kadyk, in view of Joseph (6,038,603).**

4. As to claim 1, Kadyk teaches a method of transferring data from handheld device comprising the steps of:

a) forwarding information to an exchange manager (gateway 240), said information having associated therewith a Uniform Resource Locator (URL) string (*address 281 might be the specific URL*), said step a) performed by an application resident on said handheld device (Kadyk, Fig. 2, C6: L44-66 and C5: L33-65);

b) in response to said identified transport mechanism of said URL, said exchange manager referencing an exchange library (*network driver library 426*) associated with said identified transport mechanism from a plurality of exchange libraries (e.g., *device driver library 414, encryption module library 418, network driver library 426, etc.*), wherein said exchange library defines a communication protocol for said identified transport mechanism and wherein said exchange manager supports a plurality of communication protocols (Kadyk, C10: L42-57, C13: L19-33 and C14: L17-58); and

c) communicating said information to a system, identified by said destination, that is external to said handheld device using said communication protocol, said step c) performed by said identified transport mechanism, i.e., by some appropriate protocol (Kadyk, C2: L36-41 and L62-67, C3: L1-35, C4: L19-31, C9: L25-67 and C14: L44-58).

However, Kadyk does not explicitly teach the URL containing an identified transport mechanism for communicating said information and also a destination for said information.

In the related art, Joseph teaches a URL string containing an identified transport mechanism (*http://*) and a destination (*Server A*) that a browser/application uses to communicate with another computer (Joseph, Fig. 2C and C2: L20-64).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of Kadyk and Joseph to include an identified transport mechanism and a destination in the URL since such methods were conventionally employed in the art to allow browsers/applications of various network devices taking advantage of the Exchange Manager (Flexible

Gateways) ability to manipulate data in order to accommodate data transfer over a wide variety of networks to a wide variety of destination devices using various communications protocols.

5. As to claim 2, Kadyk-Joseph teaches the method of claim 1, wherein said handheld device is a palmtop computer system comprising: a processor coupled to a bus; a memory unit coupled to said bus; a screen coupled to said bus; and a plurality of transport mechanisms (*a palmtop/handheld computer inherently comprises a processor, a memory unit, a screen coupled to a bus and a plurality of transport mechanism*).

6. Claims 8-9 are corresponding system claims of method claims 1-2; therefore, they are rejected under the same rationale.

7. **Claims 3-7 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadyk-Joseph, further in view of Bodnar et al. (6,295,541), herein after referred as Bodnar.**

8. As to claims 3-4, Kadyk-Joseph teaches the method of claim 1, wherein the flexible gateway (exchange manager) accommodates data transfer over a wide variety of networks to a wide variety of destination devices using various communications protocols including an Internet protocol (IP/HTTP) or proprietary wireless carrier protocols but does not explicitly teach said plurality of communications protocols

comprising an email protocol, an infrared beaming protocol, a radio frequency protocol and a synchronization protocol.

In the related art, Bodnar teaches a palmtop computer capable of synchronization, infrared, radio frequency communications, and email communications (Bodnar, Fig. 2 and C10: L42-53).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of Kadyk-Joseph and Bodnar to include email, infrared, radio frequency and synchronization protocols in said communications protocols since such methods were conventionally employed in the art to provide additional options for communicating between a broad range of networks and devices.

9. As to claim 5, Kadyk-Joseph-Bodnar teaches the method of claim 1, wherein said information is a data file (*"datasets" in C2: L23-33 of Bodnar and "File" from Fig. 2C of Joseph*).

10. As to claim 6, Kadyk-Joseph-Bodnar teaches the method of claim 1, wherein said information is an application program (*here "Official Notice" is taken as a "File" from Fig. 2C of Joseph and "datasets" of Bodnar might well be an application program*).

11. As to claim 7, Kadyk-Joseph-Bodnar teaches the method of claim 1, but does not explicitly teach prompting the user for any unspecified criteria such as protocol to use or/and destination.

“Official Notice” is taken that both the concept and advantages of a system prompting a user for unspecified criteria are well known and expected in the art.

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to prompt the user for unspecified criteria such as protocol to use or/and destination since such methods were conventionally employed in the art to ensure the data is manipulated into the recognizable format before sending out the receiving device using the compatible protocol.

12. Claims 10-14 are corresponding system claims of method claims 1-7; therefore, they are rejected under the same rationale.

13. Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadyk-Joseph-Bodnar, further in view of Skarbo et al. (6,317,777), herein after referred as Skarbo.

14. As to claim 15, Kadyk-Joseph teaches the method for transferring/retrieving data as in claim 1, but does not explicitly teach storing said file/information in memory and associating said file with a data set associated with said application.

In the related art, Skarbo teaches a method for web based storage and retrieval of documents (file/information), comprising the steps of storing the document onto local disk storage 354, and accessing a document registry 358 stored within a system registry to identify an associated application for the document (Skarbo, C10: L52-56).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of Kadyk-Joseph and Skarbo to store said file/document in memory and associating said file/document with a data set associated with said application since such methods were conventionally employed in the art to allow the system to be flexible to accommodate data transfer from a data origination device over a wide variety of networks to a wide variety of destination devices using various communications protocols with different data formats.

15. Claims 16-21 are corresponding method claims of method claims 2-7; therefore, they are rejected under the same rationale.

16. Applicant's arguments as well as request for reconsideration filed on 05/10/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER